ENTERED

March 23, 2020 David J. Bradley, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

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§	CIVIL ACTION NO. 3:19-CV-00211
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ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On February 4, 2020, U.S. Magistrate Judge Andrew M. Edison filed a memorandum and recommendation (Dkt. 43) recommending that the court grant defendant Gary Stein's motion to dismiss the plaintiff's first amended complaint under Fed. R. Civ. P. 12(b)(6) (Dkt. 26). One day later, on February 5, 2020, Judge Edison filed another memorandum and recommendation (Dkt. 44) recommending that the court grant defendant Avishai Ron's motion to compel arbitration and motion to stay (Dkt. 31).

On February 18, 2020, the plaintiff filed objections to both of Judge Edison's recommendations (Dkts. 45-46). The defendants have filed their responses to those objections (Dkts. 51-52). In accordance with 28 U.S.C. § 636(b)(1)(C), the court must "make a de novo determination of those portions of

the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

The court has carefully considered the objections, responses, each memorandum and recommendation, the pleadings, the applicable law, and the record. The court accepts Judge Edison's recommendations (Dkts. 43 & 44) and adopts them as the opinion of the court.

Accordingly, the court grants Gary Stein's motion to dismiss (Dkt. 26) and dismisses the claims against him with prejudice. The court further grants Avishai Ron's motion to compel arbitration and motion to stay (Dkt. 31).

Signed on Galveston Island on the 23rd day of March, 2020.

JEFFREY VINCENT BROWN UNITED STATES DISTRICT JUDGE